



SDE Briefing on COVID-19 for Superintendents & Charter School Administrators Webinar Q & A

March 18, 2020

OPEN MEETING LAWS

For the duration of the emergency declaration related to COVID-19, the Governor suspends the portion of the Open Meetings Act that requires public agencies to have a physical location for public meetings. All other requirements of the OML remain in place, including providing the public with the ability to attend public meetings by telecommunication devices (telephone, etc.). Please find a Proclamation addressing the Open Meeting Law (OML) at

<https://www.sde.idaho.gov/coronavirus/general/Open-Meeting-2020.pdf>

GENERAL OPERATIONAL QUESTIONS

Q: At the last two meetings we had with the SDE, it was clear to us that the SDE was there to support us. You shared that we had flexibility and should implement emergency closure as defined in Idaho Code. Has this direction changed?

A: No. The direction has been to have a plan in place to deal with a closure and then how you would continue instruction and services to students in the event of an extended closure. Your plans should also include re-opening guidance.

Q: Why are schools allowed to be open when the CDC says no more than 10 gathering?

A: The CDC guidance is to work with your local health department for guidance on closures and re-openings.

More information can be found here:

<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/index.html>

<https://www.cdc.gov/coronavirus/2019-ncov/downloads/considerations-for-school-closure.pdf>

Q: Is there guidance or support documents to inform development of re-entry plans?

A: The CDC guidance is to work with your local health department for guidance on closures and re-openings. More information can be found here:

<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/index.html>

<https://www.cdc.gov/coronavirus/2019-ncov/downloads/considerations-for-school-closure.pdf>

Q: Where will the form for Submitting district COVID-19 plans be located?

A: Please share details of your response plan using the form found at this link <https://form.jotform.com/200784448319158>. This form also conveniently supports plan documents to be uploaded.

Q: Is it okay to take a week of no students in order to prepare staff for some type of online school?

A: Yes. You will need to request a waiver if this week of closure will result in not meeting the minimum hours per section 33-512, Idaho Code.

Q: We would like to count our attendance based on completion of assignments. We are doing virtual and book instruction?

A: Guidance for measuring online / distance learning attendance is being prepared and will be distributed soon to all school districts and charter schools.

Q: Do you anticipate the governor mandating a state-wide school closure extending what most districts have already done?

A: Per Greg Wilson's comments during the webinar, the Governor is leaving this decision up to local school districts.

Q: Kansas moved to shut down all schools for the remainder of the year. Can you work to ensure if that were to occur in Idaho, there is guidance outlining it doesn't impact full-time virtual schools?

A: We have communicated this concern to the Governor's office.

Q: We are running virtual school. I have reached out to the state (Peter) and the Charter Commission. Is there anyone else I need to inform?

A: Not at this time.

Q: How might a state-wide emergency closure get implemented since it is not under the guidance of the SDE?

A: The Governor would need to issue a state-wide school closure.

Q: How do you justify bringing staff in when a school is closed, especially if staff identify that they are concerned for their health and safety in the building?

A: This is a local decision. Please discuss with your school's board of trustees.

Q: If staff express concern for their health due to age or compromising conditions, or even the ability to provide childcare, and do not want to come to the site, do we still have the flexibility to try to accommodate their duties at home. How does this apply toward bus drivers and instructional aides who mainly are involved with students in school?

A: This is a local decision. Please discuss with your School Board of Trustees and include this information in your plan.

Q: Several years ago, the OIG directed attendance could not be collected from parents. Has that restriction been removed?

A: No. The Office of Inspector General's directive was specific to the virtual schools based on the audit of virtual schools. It applies to the full-time virtual schools.

Q: How do we report attendance when students are online at home? Is there a code we should use to report it in our student information system?

A: Guidance for measuring online / distance learning attendance is being prepared and will be distributed soon to all school districts and charter schools.

Q: We are a small charter school sitting in between the two largest school districts that are closed. If I choose to reopen at this time, I am going to cause my parents a stress too. I don't know if the recommendation 10 person, how that affects a class of 25-30 students and Cafe. We have chosen the high road to try to provide equal access with our students. We are trying to give parents something to do with their kids and my teachers are on-line from 8-12:00 to be available via e-mail We are trying solutions and I get really nervous that trying something might get me into trouble.

A: The Superintendent has been clear she will seek maximum flexibility for schools and LEA's during this time.

Q: Digital infrastructure and capabilities vary in districts and charters across Idaho. Given your statement just now that schools continue teaching kids during this extended break, should LEAs not capable of reaching ALL students do what they can? Some districts are saying they won't reach out online if they can't reach all kids.

A: For funding purposes, providing education to some and not all students will likely impact attendance, which can be adjusted upon receipt by the State Department of Education (Public School Finance) of a school district's or charter school's board of trustees certification per section 33-1003A, Idaho Code.

Q: If we are out of school as determined by our local board and we have students who do not have reliable internet in their homes. Can we make our in school computer labs available for groups of 10 or less?

A: According to current CDC guidelines, this is an appropriate option.

Q: For districts who do not have good connectivity, are packets of work qualifying as providing an education? Or does this only work for online learning?

A: Yes.

Q: On the emergency closure form there are two columns "for closures caused by flu." Do we document these days under those columns?

A: Yes. You can use this column to report closure days. This field was originally set up to address H1N1 and we have not changed the name.

Q: How many school districts are still open?

A: As of March 19th, there are 110 total closures noted so far. This is being updated several times each day.

Q: Regarding online schools remaining open in the event of a statewide mandated closure, could you please have that read to include any school who has moved to online learning? Our brick and mortar closed Monday and Tuesday to students and opened today with our kids, k-12, learning online.

A: We have communicated this to the Governor's office.

Q: Our teachers are preparing to be digitally ready to provide instruction April 6th and our teachers are sending packets of work home with kids. Do we even complete the emergency closure forms or work through ISEE on how to code?

A: An emergency closure form is not required if you are continuing to provide education. If your attendance is impacted, it can be adjusted upon receipt by the State Department of Education (Public School Finance) of a school district's or charter school's board of trustees certification per section 33-1003A, Idaho Code.

Q: Will the May ISEE submission window be opened early? I know Tim Hill stated before that they would need extra time to figure out funding after submittals.

A: Not at this time. If necessary, you will be notified. Public School Finance will use all available attendance / staffing data within a reasonable time prior to each payment. Data received afterwards will be factored in to the next payment, either in the current or following fiscal year.

Q: Do we still have to say closed in ISEE if we are trying to do something for our kids?

A: No.

Q: The governor stated restrictions until the "end of the month". So, is it recommended 'closure' until April 1st, not March 30th as so many have mentioned?

A: For the latest information from Governor Little, please visit <http://www.coronavirus.idaho.gov>.

Q: Should we wait to apply for the waiver if there is a chance of a statewide waiver?

A: You should proceed with submitting your attendance / calendar waivers as soon as you know what days (attendance) or reduced calendar hours have been determined.

Q: If we cancel days, yet still have enough hours to meet minimum time requirements will we still need a waiver beyond the usual form indicating an emergency cancel?

A: No.

Q: Do we document our impacted ADA in a letter from the superintendent?

A: Guidance for impacted attendance is being prepared and will be distributed soon to all school districts and charter schools.

Q: When President Trump recommended that parents keep their kids home, are you saying he meant only in those areas with community spread?

A: Please see the following links for more information from the White House and the CDC
https://www.whitehouse.gov/wp-content/uploads/2020/03/03.16.20_coronavirus-guidance_8.5x11_315PM.pdf
<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/index.html>

Q: Is there a projected community spread model for Idaho yet? Have you seen such a model?

A: This is in process. We are waiting for more information from the CDC.

Q: Can you define community spread?

A: Community spread means people have been infected with the virus in an area, including some who are not sure how or where they became infected. For more information see <https://www.cdc.gov/coronavirus/2019-ncov/prepare/transmission.html>

Q: How soon will Idaho get faster test kits?

A: There is movement on testing. For example, they are starting to ramp up by converting machines into rapid testing machines. The federal guidance is to move ahead, but we are still not testing people who are asymptomatic.

Q: Is there a risk that the expected economic downturn will impact 2020/2021 state funding for K-12?

A: Yes. In his press conference on March 18, 2020, Gov. Little acknowledged that there would be an impact on the economy. We don't know the extent at this point in time.

Q: Did we just hear Tim Hill say that if we cannot provide an open model with special ed services for elementary but we could for secondary, we could just run a secondary school?

A: The response addressed providing what education you are able to, and if attendance is impacted, submit the necessary certification to the State Department of Education (Public School Finance), per section 33-1003A, Idaho Code. Any requirement for providing education to students with an IEP should be addressed by the Special Education section of the State Department of Education.

Q: We are running virtual school (going very well so far). I have reached out to the state (Peter) and the Charter Commission. Is there anyone else I need to inform?

A: Not at this time.

Q: I don't see that IC 33-1006 (6) is specific to charter schools. We will have costs associated with providing online education.

A: Idaho Code 33-1006 (6) is not specific to charter schools; however, it is specific to public virtual schools. Public virtual schools is defined in Idaho Code 33-5202A (11). Briefly, a public virtual school is a school, which delivers a full-time sequential program.

ASSESSMENT & ACCOUNTABILITY

Q: Please ask for a waiver for spring ISAT's and IRI testing

A: We are in regular contact with our colleagues in other states and with the US Department of Education. We expect additional guidance this week regarding assessment and accountability requirements and will update schools as soon as more information is available.

Q: We have not had time to spend all literacy dollars and we may not get an opportunity to spend them. Will we lose them?

A: We are required to follow the statute which states funds must be expensed to support literacy intervention programs. Schools can consider online resources and supports of distance learning during extended closures specific to literacy intervention. In addition, licenses for online instructional programs are allowable expenses. Please contact Karlynn Laraway for more guidance or to discuss options. 208-332-6976

Q: ACT website says they are rescheduled to June 13

A: ACT has rescheduled its April 4 national test date to June 13 across the U.S. Students registered for the April 4 test date will receive an email from the ACT with information on how to reschedule to June 13 for free. Students will also have the option to reschedule for a different national test date.

Q: SAT is testing June 6, but cancelled May.

A: Yes. The College Board has cancelled their May national administration and students registered for the May 2 test will be able to take the test on June 6. College Board will continue to provide updates as more information is available.

Q: The Assessment and Accountability News Letter that came out today says SAT testing is on April 28th. I thought they were cancelled?

A: The SAT School Day administration scheduled for Tuesday April 14 has been moved to the make-up day, April 28. All high schools in Idaho should plan to administer the SAT School Day on April 28. We will not offer a new make-up day.

The College Board is canceling their May weekend SAT administrations, which impacts our virtual school students. Students in our virtual schools who planned to take the test in May can use the voucher for the June 6th administration.

The Department will discuss with the State Board of Education the graduation requirement to complete a college entrance exam for students who are unable to participate this year.

Q: How did Florida cancel all state-wide tests for this year? Did they receive a waiver?

A: As of 3/18, we are not aware of any state receiving a waiver from the US Department of Education for any provision of ESSA. Idaho is currently following US Department of Education guidance, published on March 12. The guidance document is available in its entirety at

<https://oese.ed.gov/files/2020/03/COVID-19-OESE-FINAL-3.12.20.pdf>

The following is as small subsection taken from the Fact Sheet regarding the Impact of COVID-19 on Assessments and Accountability under the Elementary and Secondary Education Act.

Section 8401 of the ESEA (20 U.S.C. § 7861) permits the Secretary to grant waivers of certain ESEA requirements and, thus, allows the Department to provide some flexibility to schools, districts, and States that may be necessary due to the impact of COVID-19 on the provision of educational services, however, the Department generally does not grant statewide waivers of assessment requirements under section 1111(b)(2) of the ESEA.

Due to the unique circumstances that may arise as a result of COVID-19, such as a school closing during the entire testing window, it may not be feasible for a State to administer some or all of its assessments, in which case the Department would consider a targeted one-year waiver of the assessment requirements for those schools impacted by the extraordinary circumstances.

Q: The March 18 Assessment & Accountability newsletter says SAT is still on. Supt Ybarra noted that both SAT and ACT cancelled testing. Not a question, but someone should let Assessment know to update their email

A: The SAT School Day administration scheduled for Tuesday April 14 has been moved to the make-up day, April 28. All high schools in Idaho should plan to administer the SAT School Day on April 28. We will not offer a new make-up day. We will continue to monitor school closures and make additional adjustments to the schedule at the appropriate time.

The College Board is canceling their national May SAT administrations, which impacts our virtual school students. Students in our virtual schools who planned to take the SAT in May can use the voucher for the June 6th administration. More information will come to students from the College Board.

The Department will discuss with the State Board of Education the graduation requirement to complete a college entrance exam for students who are unable to participate this year.

STUDENT TRANSPORTATION

Q: Bus contracts - we are being asked to continue payments, what is guidance for paying bus contracts when we are not busing students.

A: No clear answer yet. Work with your legal team and review contract, review with school board for recommendation. I hope this will be answered and reimbursed soon. But no clear path yet.

Q: Do you have any suggestions to compensate route drivers if we have an extended closure?

A: drivers are required a minimum of 10 hours training annually. May be good opportunity to do that training. Make sure your board will support this and submit for reimbursement this fall. I have no clarification on this being approved as of yet.

Q: If we use our contracted bus company to deliver meals and homework using our contracted bus company, can we use our regular bus reimbursement through IBUS

A: not yet. I have asked the question to get this approved. Many districts are using the “drive through” summer process for food now. If you do deliver track/document the miles in IBUS under “other” reimbursable. Still today no confirmation this will be reimbursed, but hoping it will be approved soon.

Q: Idaho Code 33-1006 (6) says any eligible home-based public virtual school may claim transportation reimbursement. If we offer virtual online education are we eligible for this reimbursement? (i.e. Idaho Virtual Academy received \$1,253,924 in 18-19 without running busses)

A: No. Idaho Code 33-1006(6) specifically references home-based public virtual schools. Idaho Code 33-5202A (11) defines a virtual school as “a public charter school or a traditional public school that delivers a full-time, sequential program of synchronous and/or asynchronous instruction primarily through the use of technology via the internet in a distributed environment.” Offering virtual online education during this time would not meet the full-time sequential program requirement.

TEACHER CERTIFICATION

Q: Can we please suspend teacher evaluation requirements this year?

A: According to IDAPA 08.02.02.120.2, in situations where certificated personnel are unavailable for two classroom observations, one observation is sufficient. The Career Ladder Data System (CLDS) application will be open until at least June 30, 2020.

Q: Can Michelle Clement Taylor send out any current best practice models for evaluating teachers on their online instruction and communication with parents and students.

A: Michelle will compile resources along with Kathy Gauby, Educator Effectiveness Coordinator, and will post those resources.

Q: The State is going to really have to think deeply about teacher evaluations and the career ladder. Students will not be getting the quality instruction online as they would in the school even if the school remains open and evaluations are tied to IRI and ISAT. If ISAT and IRI are suspended and long-term closures occur, accountability for teachers needs serious reconsideration

A: The Superintendent will seek the maximum flexibility for all schools in Idaho.

SPECIAL EDUCATION

All Special Education Questions and Answers will be maintained at the following:
<https://www.sde.idaho.gov/coronavirus/sped/3-19-2020-SPED-COVID-19-Q-A.pdf>

CHILD NUTRITION PROGRAMS

Q: Any update on waivers from the USDA on grab-n-go food locations?

A: Grab-N-Go is currently an allowable option to request on your waiver to the State Agency

Q: Do you anticipate buses being allowed to deliver food?

A: Buses can deliver food to eligible sites.

Q: What about meals on the weekend?

A: Meals are not NSLP on the weekends. They are allowed when administering SFSP or SSO on the weekends.

Q: If a district is doing online learning can they serve food under a summer program or does it have to be under National School lunch Program?

A: If the district is considered open then they must do NSLP. If the district is closed they can apply for either SFSP or SSO depending upon their eligibility.

Q: We understand that the meal funds can be used to transport meals. But, if the law does not allow transportation funds to be used to deliver meals, is it possible to seek an emergency exception to the law? We need all of our food funds to pay for food. We know funds for transportation have already been appropriated. Why wouldn't we seek an emergency exemption to be able to use the buses and drivers to get meals to kids?

A: This is a transportation question, not a CNP question. Meals are reimbursed on a per meal bases. There are not additional funds in the USDA programs for this purpose.

Q: Regarding food service, why are regulations restricting us from taking prepared food to more than one location in our district? If we aren't able to take it to more than one location, we will severely limit the number of high needs students that can have access to meals

A: USDA regulations do not restrict school districts from taking prepared food to more than one pre-approved site.

CHILD NUTRITION PROGRAMS RESOURCES

Free meals for children are available at approved sites across the state.

Children ages 1-18 may pick-up meals at any site, regardless of enrollment. Children must be physically present at the feeding site to receive a meal. Please contact individual sites for meal service times. To locate a feeding site near you, go to

<https://batchgeo.com/map/3195baf394a7f7db04ce06c69b17842f>

The following outlines the most common scenarios. Additionally, please follow any directions from your local health jurisdiction regarding meal distribution.

*One or more schools OR our entire district is closed. We participated in the SFSP/SSO in the past two years, can we serve meals and claim them under SFSP/SSO? **Yes!***

- Serve meals through SFSP or SSO .
- Serve all children ages 0 – 18 years.
- Meals may be served as “grab n go”.
- Meal counts for SFSP or SSO can be by tally sheet (by name meal counting is NOT required).
- Serve up to two meals at one time (i.e. breakfast AND lunch).

*One or more schools OR our entire district is closed. We have never participated in the SFSP/SSO, but we have area eligible sites (50% or more Free and Reduced-Price (F/RP)) are there meal service options for us? **Yes!***

- Serve meals through SSO (at schools that qualify as area eligible).
- Serve all children ages 0 – 18 years.
- Meals may be served as “grab n go”.
- Meal counts for SSO can be by tally sheet (by name meal counting is NOT required).
- Serve up to two meals at one time (i.e. breakfast AND lunch).

*One or more schools OR our entire district is closed and schools in our district are not area eligible (less than 50% F/RP). Are there options for feeding students? **Yes!***

- Serve meals through NSLP/SBP (if some schools are open)
- Operate a “Closed Enrolled Site” through the SSO program.
- Closed Enrolled Sites target low-income students in non-area eligible schools.
- This option takes careful planning

TECHNOLOGY

The FCC has announced a waiver on E-rate gift rules which allows internet providers and other providers to gift increased capacity, hardware, etc. to better support remote learning, etc.

From the waiver:

For example, some providers have expressed interest in providing free network upgrades for hospitals that need more robust connections to treat patients via telemedicine and free connected devices and hotspots for students who will be taking classes at home. This waiver will enable them to do such things.

<https://docs.fcc.gov/public/attachments/DOC-363137A1.pdf>